

## **HOW TO QUALIFY FOR OPEN SPACE USE ASSESSMENTS**

### **All parcels must be consistent with the Comprehensive Plan**

#### **Historic Public Purpose:**

Properties must be at least 5 acres excluding homesite AND

1. Be listed as a historic property on the Virginia Landmarks Register or
2. Be listed as a contributing property in a historic district on the Virginia Landmarks Register or
3. Be listed as a historic property on the National Register of Historic Places or
4. Be listed as a contributing property on the National Register of Historic Places  
AND BE SUBJECT TO A PERPETUAL SCENIC, HISTORIC OR OPEN SPACE  
EASEMENT OR A 7 TO 10 YEAR RECORDED COMMITMENT WITH THE  
COUNTY.

#### **Scenic Resource Protection Public Purpose:**

Properties must be at least 5 acres excluding homesite AND

1. Be contiguous to a scenic by-way with at least 300 feet of road frontage on the following by-ways:
  - a. Route 7 (Colonial Highway) [East & West]  
From the intersection with Route 704 (Town of Hamilton) to  
The intersection with Route 699 (Dry Mill Road)
  - b. Route 9  
Between its intersections with Routes 7 bypass and  
Route 662 to the West Virginia line
  - c. Route 15 (James Monroe Highway - James Madison Highway)  
Begin at the Virginia/Maryland State line to  
Route 50
  - d. Route 601 (Blue Ridge Mountain Road)  
Intersection with Route 7 to the Intersection with  
Routes 17 and 50 (Clarke and Loudoun Counties)

- e. Route 626  
From the Fauquier County Line to  
South Corporate Limits of Middleburg
- f. Route 662 (Clarks Gap Road)  
Between Route 9 (Charles Town Pike) and  
Route 665 (Loyalty Road)
- g. Route 665 (Loyalty Road)  
Between Route 662 (Clarks Gap Road) and  
Route 668 (Taylorstown Road)
- h. Route 671  
Intersection with Route 9 to the intersection with Route 340  
Near the Potomac River at the Maryland State line
- i. Route 673 (Milltown Road/Featherbed Lane)  
Between Route 287 (Berlin Turnpike) to the intersection of  
Route 681 (Milltown Road)
- j. Route 681 (Milltown Road)  
Between Route 673 (Milltown Road/Featherbed Lane) and  
Route 698 (Old Wheatland Road)
- k. Route 690 (Mountain Road)  
Between Route 9 (Charles Town Pike) and  
Route 673 (Irish Corner Road)
- l. Route 699 (Dry Mill Road)  
From the intersection with Old Route 7 (Colonial Highway East) to  
the intersection of Loudoun and King Streets (Route 15) in Leesburg  
Historic District
- m. Route 704 (Harmony Church Road)  
Between Route 7 [Business] (Colonial Highway) and  
Route 15 (James Monroe Highway)
- n. Route 719 (Stony Point Road/Woodgrove Road)  
Between Route 9 (Charles Town Pike) and  
North end of the Town of Round Hill
- o. Route 722 (Lincoln Road)  
Between Route 7 (Main Street) [Town of Purcellville] and  
Route 728 (North Fork Road)

- p. Route 728 (North Fork Road)  
Between Route 722 (Lincoln Road) and  
Route 731 (Watermill Road)
- q. Route 731 (Watermill Road)  
Between Route 728 (North Fork Road) and  
Route 734 (Snickersville Road)
- r. Route 734 (Snickersville Road)  
Between Route 7 (Harry Byrd Highway) and  
Route 50 (John Mosby Highway)

OR

- 2. Be contiguous to a scenic river listed below:
  - a. Goose Creek from the Loudoun-Fauquier County Line to the Potomac River
  - b. Catoctin Creek from the Town of Waterford to the Potomac River

AND BE SUBJECT TO A PERPETUAL SCENIC, HISTORIC OR OPEN SPACE  
EASEMENT OR A 7 TO 10 YEAR RECORDED COMMITMENT WITH THE COUNTY.

**Protection of Farmland for Future Agricultural Use Public Purpose:**

The property must be at least 20 acres in size, excluding homesite

AND

- 1. Be located in a rural area as defined by the County Comprehensive plan and file and implement a land management plan approved by Soil and Water Conservation District and be subject to a minimum 10 year open space commitment with the County.

**Achievement of Comprehensive planning and community development goals public purpose:**

The property must be at least 5 acres in size, excluding homesite AND

- 1. Be protected by a permanent Open Space Easement OR
- 2. Be protected by a permanent Scenic Easement OR
- 3. Be located in an Agricultural or Forestal District OR
- 4. Be a rural village conservancy lot protected by a permanent Open Space Easement OR
- 5. Be a rural hamlet conservancy lot protected by a permanent Open Space Easement

**Code of Virginia:**

The property must be at least 5 acres in size, excluding homesite AND

1. Be provided or preserved for park or recreational purposes OR
2. Be used for conservation of land or other natural resources OR
3. Floodways OR
4. Historic or scenic purposes OR
5. Assisting in the shaping of the character, direction and timing of community development or for public interest

AND

Within an Agricultural or Forestal District

OR

Subject to a recorded perpetual easement

OR

Subject to a recorded commitment entered into by the landowners and the local governing body

**Permanent Open Space Easement:**

The property must be consistent with local land use plan and be at least 5 acres in size excluding home site.

AND

1. Be subject to a perpetual conservation easement held pursuant to 10.1-1011 of the Code of Virginia or 10.1-1700 of the Code.

For these easements, applications for use value program are not necessary and filing fee is not charged.